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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|-----------------------|---------------------|------------------|
| 10/575,380 | 04/11/2006 | Niall Morton Hamilton | 2815-0249PUS2 | 9070 |

2292 7590 07/31/2009
BIRCH STEWART KOLASCH & BIRCH
PO BOX 747
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| EXAMINER |
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SHAMEEM, GOLAM M

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| ART UNIT | PAPER NUMBER |
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1626

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| NOTIFICATION DATE | DELIVERY MODE |
|-------------------|---------------|

07/31/2009

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

mailroom@bskb.com

DETAILED ACTION

Status of Claims

Claims 1-12 are currently pending in the application. Claim 13 was canceled.

Receipt is acknowledged of Applicant's amendment / response filed on May 01, 2009, and that has been entered.

Applicant's arguments and amendments have been fully considered and found persuasive with respect to the rejection of claims 1-8 under 35 U.S.C. §103 (a) and the rejection is hereby withdrawn.

Claims 9-12 are withdrawn from further consideration by the Examiner under 37 C.F.R. 1.142 (b) as being directed to non-elected subject matter and therefore, the restriction requirement is still deemed proper and made it final.

Applicants preserve their right to file a divisional on the non-elected subject matter.

Allowable Subject Matter

This application is in condition for allowance except for the following formal matters: the presence of non-elected subject matter. The non-elected claims 9-12 must be canceled in order to place this application in condition for allowance. Prosecution on the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

A shortened statutory period for reply to this action is set to expire **TWO MONTHS** from the mailing date of this letter.

Telephone Inquiry

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Golam Shameem, Ph.D. whose telephone number is (571)

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272-0706. The examiner can normally be reached on Monday-Thursday from 6:30 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph McKane, can be reached at (571) 272-0699. The Unofficial fax phone number for this Group is (703) 308-7921. The Official fax phone number for this Group is 571-273-8300.

When filing a FAX in Technology Center 1600, please indicate in the Header (upper right) "Official" for papers that are to be entered into the file, and "Unofficial" for draft documents and other communications with the PTO that are not for entry into the file of the application. This will expedite processing of your papers.

Communications via Internet e-mail regarding this application, other than those under 35 U.S.C. 132 or which otherwise require a signature, may be used by the applicant and should be addressed to [joseph.mckane@uspto.gov]. All Internet e-mail communications will be made of record in the application file. PTO employees will not communicate with applicant via Internet e-mail where sensitive data will be exchanged or where there exists a possibility that sensitive data could be identified unless there is of record an express waiver of the confidentiality requirements under 35 U.S.C. 122 by the applicant. See the Interim Internet Usage Policy published by the Patent and Trademark Office Official Gazette on February 25, 1997 at 1195 OG 89.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist, whose telephone number is (571) 272-1600.

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/Golam M. M. Shameem/

Primary Examiner
Art Unit 1626
Technology Center 1600

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